

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

IN RE:  
VICTOR & MARIA TAMAYO  
DEBTORS

CHAPTER 13 PROCEEDING:  
17-10266-B-13

**MOTION TO DISMISS OR CONVERT**

A HEARING WILL BE CONDUCTED ON THIS MATTER ON **July 18, 2019 AT 9:30 am** IN U.S. BANKRUPTCY COURT LOCATED AT:

US Federal Building & Courthouse, 600 E. Harrison, 3rd Floor, Brownsville, TX 78520

IF YOU WANT A HEARING, YOU MUST REQUEST ONE IN WRITING. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY ONE DAYS (21) AS FOLLOWS: 1. FILE A RESPONSE WITHIN TWENTY ONE DAYS THAT SHOWS THAT THE ABOVE-CITED DEFICIENCY HAS BEEN CURED, OR 2. FILE A RESPONSE WITHIN TWENTY ONE (21) DAYS THAT SHOWS THAT THE COURT SHOULD ALLOW YOU ADDITIONAL TIME TO CURE THE ABOVE-CITED DEFICIENCY. OTHERWISE, THE COURT MAY TREAT THE PLEADING AS UNOPPOSED AND DISMISS OR CONVERT YOUR CASE. IF THE DEFICIENCY IS FOR FAILURE TO FILE TAX RETURNS AND THE CASE IS DISMISSED, YOU WILL NOT BE ALLOWED TO FILE ANOTHER BANKRUPTCY CASE UNTIL ALL OF YOUR RETURNS ARE FILED. IF YOU ARE PROPOSING TO MODIFY THE PLAN TO CURE DEFICIENCIES, YOU MUST MAKE A PLAN PAYMENT IN THE NEW AMOUNT BEFORE THE HEARING OR YOUR CASE MAY BE DISMISSED.

COMES NOW Cindy Boudloche, Trustee, and moves the Court for an Order dismissing the Debtors' case as follows:

1. Debtors are more than fifteen (15) days delinquent on Chapter 13 plan payments. At the time this motion was filed, Debtors were \$2,250.00 in arrears under the proposed plan.

WHEREFORE the Trustee prays that the case be dismissed or converted to Chapter 7, whichever shall be determined in the best interest of creditors.

Dated: June 17, 2019

Respectfully Submitted:

/s/ Cindy Boudloche

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CINDY BOUDLOCHE, Trustee  
555 N. Carancahua Ste 600  
Corpus Christi, TX 78401-0823  
(361) 883-5786 phone  
(361) 888-4126 fax

**CERTIFICATE OF SERVICE**

I Certify that on or about June 17, 2019, a copy of the foregoing pleading was served electronically on all parties requesting electronic notice or by United States Mail to the Debtors, Debtors' Counsel and all parties listed below:

/s/ Cindy Boudloche

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Cindy Boudloche, Trustee

VICTOR H TAMAYO  
MARIA TAMAYO  
32028 WHIPPLE RD  
LOS FRESNOS, TX 78566

ABELARDO LIMON JR  
890 WEST PRICE ROAD  
BROWNSVILLE, TX 78520

**Parties Requesting 2002 Notice**

SYNCHRONY BANK  
C/O PRA RECEIVABLES MANAGEMENT  
LLC  
PO BOX 41021  
NORFOLK, VA 23541

LINEBARGER GOGGAN BLAIR  
& SAMPSON LLP  
PO BOX 17428  
AUSTIN, TX 78760-7428

WEINSTEIN AND RILEY PS  
6785-4 S EASTERN AVE  
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